

SENATE BILL NO. 240

BY SENATOR AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To enact R.S. 40:1730.49, relative to commercial regulations; to provide for energy efficiency and conservation requirements for state-funded major facility projects; to provide for the design, construction, and certification of certain major facility projects; to provide for rules and regulations; to provide for inspections; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1730.49 is hereby enacted to read as follows:

**§1730.49. Louisiana major facility project; energy efficiency and conservation; requirements**

**A. The office of facility planning and control of the division of administration shall adopt rules and regulations which:**

**(1) Optimize the energy performance of state-funded buildings throughout the state.**

**(2) Increase the demand for building and construction materials, finishes, furnishings, and other products made in or incorporating materials produced in Louisiana.**

**(3) Improve environmental quality in this state by decreasing the discharge of pollutants from state-funded buildings and their manufacture.**

**(4) Conserve energy and utilize local and renewable energy sources.**

**(5) Protect and restore this state's natural resources by avoiding development of inappropriate state-funded building sites.**

**(6) Reduce the burden on public water supply and treatment by reducing potable water consumption.**

1           (7) Establish life cycle assessment as the appropriate and most efficient  
2 analysis to determine a state-funded building project's environmental  
3 performance level.

4           (8) Encourage obtaining ENERGY STAR designation from the United  
5 States Environmental Protection Agency to further demonstrate a building  
6 project's energy independence.

7           B. Each major facility project must be designed, constructed, and  
8 certified to exceed the requirements of the state energy code by at least thirty  
9 percent where it is determined by the office of facility planning and control that  
10 such thirty percent efficiency is cost effective based on a life cycle cost analysis  
11 with a payback at no more than thirty years. Certification shall be performed  
12 by a professional engineer using IRS/DOE approved software methodology.

13           C. In order to achieve sustainable building standards, construction  
14 projects may utilize a nationally recognized high performance environmental  
15 building rating system, provided, however, that any such rating system that uses  
16 a material or product-based credit system which is disadvantageous to materials  
17 or products manufactured or produced in Louisiana shall not be utilized. The  
18 office of facility planning and control of the division of administration shall  
19 designate rating systems which meet these criteria and may establish its own  
20 rating system.

21           D. A professional engineer shall certify that the major facility project's  
22 systems for heating, ventilation, air conditioning, energy conservation and water  
23 conservation are installed and working properly to ensure that each major  
24 facility project performs according to the major facility project's overall  
25 environmental design intent and operational objectives.

26           E.(1) For purposes of this Section, a major facility project shall mean  
27 either:

28           (a) A state-funded new construction building project which is:

29           (i) From the effective date of this Section through December 31, 2008,  
30 the project shall be larger than twenty thousand gross square feet.

1                    (ii) From January 1, 2009 through December 31, 2009, the project shall  
2                    be larger than fifteen thousand gross square feet.

3                    (iii) From January 1, 2010 through December 31, 2010, the project shall  
4                    be larger than ten thousand gross square feet.

5                    (iv) From January 1, 2011 and thereafter, the project shall be larger  
6                    than five thousand gross square feet.

7                    (b) A state-funded renovation project which involves more than fifty  
8                    percent of the replacement value of the facility or a change in occupancy.

9                    (2) A major facility project shall not mean a building, regardless of size,  
10                   which does not have conditioned space as defined by Standard 90.1 of the  
11                   American Society of Heating, Refrigerating, and Air Conditioning Engineers.

12                   Section 2. This Act shall become effective upon signature by the governor or, if not  
13                   signed by the governor, upon expiration of the time for bills to become law without signature  
14                   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
15                   vetoed by the governor and subsequently approved by the legislature, this Act shall become  
16                   effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_